

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**RICHARD LAWRENCE, Individually,
JOYCE D. STONE, Individually and as
Trustee of the STONE FAMILY
REVOCABLE TRUST,**

Plaintiffs,

Civil Action No.: _____

v.

**Shelby County Chancery Court
Case No. CH-17-1553**

AAMCO TRANSMISSIONS, INC.,

Defendant.

_____ /

NOTICE OF REMOVAL

Defendant AAMCO Transmissions, Inc. ("AAMCO"), by and through its undersigned counsel, hereby gives notice of the removal of the above-styled action to the United States District Court for the Western District of Tennessee, Western Division, and states as follows:

I.

INTRODUCTION

1. This action is being removed pursuant to 28 U.S.C. § 1441(b). On or about October 23, 2017, plaintiffs Richard Lawrence and Joyce D. Stone ("Plaintiffs") filed a Complaint against AAMCO in the Chancery Court of Shelby County, Tennessee. The action, styled *Richard Lawrence, et al. v. AAMCO Transmissions*,

Inc., was assigned Case No.: CH-17-1553 (hereinafter referred to as the “Chancery Court Action”).

2. In the Complaint, Plaintiffs allege Defendant tortiously interfered with a commercial lease. Among other relief, the Complaint requests a temporary restraining order, which the Chancellor issued on October 23, 2017.

3. AAMCO received a copy of the Complaint on October 30, 2017.

4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely filed.

II.

PREREQUISITES TO REMOVAL

5. Written notice of the filing of this Notice of Removal has been given to all parties in this action, and a copy of the Notice of Removal will be filed promptly with the Clerk of Court for the Chancery Court of Shelby County, Tennessee.

6. A true and legible copy of all process, pleadings, orders, and other papers or exhibits of every kind on file in the Chancery Court Action is attached as “Composite Exhibit A”.

III.

VENUE AND JURISDICTION

7. Venue is proper in this Court because the action is being removed from the Chancery Court of Shelby County, Tennessee, which lies within the Western District of Tennessee. See 28 U.S.C. §§ 1441(a) and 1446(a).

IV.

DIVERSITY JURISDICTION

8. This Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332 because this is a civil action in which the amount in controversy at the time of removal exceeds \$75,000, exclusive of interest and costs, and is between citizens of different states.

Diversity of Citizenship

9. Plaintiffs are domiciled in Tennessee. [Compl., ¶ 1].

10. AAMCO is a foreign corporation incorporated in Pennsylvania with its principal place of business in Montgomery County, Pennsylvania. [See Compl., ¶ 2].

11. Accordingly, there is complete diversity of citizenship among the parties.

Amount in Controversy

12. Plaintiffs allege that the value of the lease was Two Hundred Six Thousand, Five Hundred and 00/100 (\$206,500.00) Dollars. [Compl., ¶ 7]. Plaintiffs claim they have been damaged in the amount of “approximately Two Hundred Fifty Thousand and 00/100 (\$250,000.00) Dollars.” [Compl., ¶ 12].

13. Accordingly, the amount in controversy exceeds the \$75,000 threshold.

WHEREFORE, defendant AAMCO Transmissions, Inc. removes the above-styled action now pending against it in the Chancery Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, Western Division.

Dated: November 1, 2017

Respectfully submitted,

/s/ Catherine H. Molloy
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Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 1, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to:

Dennis R. Baer
200 Jefferson Ave., Suite 725
Memphis, TN 38103
lawsuit@baerfirm.com

/s/ Catherine H. Molloy
Attorney